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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Inventors: James M. Avery
Title: METHOD FOR MERGING A PLURALITY OF DATA STREAMS INTO A SINGLE DATA STREAM
Filing Date: 7/13/2001
Serial Number: 09/905,483
Group Art Unit: 2661
Examiner: Unknown

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☒ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☒ (1) It is being filed within 3 months of the application filing date
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but

before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; **or**
- ☐ a fee of \$240.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement. Please note that a check in the amount of \$240.00 is enclosed in payment.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; **and**
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in § 1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III
Reg. No.: 41,752

Signature: Hoyt A. Fleming III

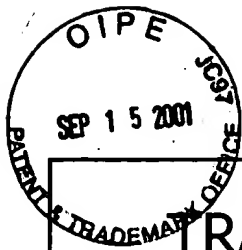
Date: 09/10/2001

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28422

PATENT TRADEMARK OFFICE



UP-2661#2
PA 9/22/01

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application No.	09/905,483
Filing Date	7/13/2001
First Named Inventor	James M. Avery
Group Art Unit	2661
Examiner Name	Unknown
Attorney Docket No.	SUN-P5493-MDF

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Total Number of Pages in this Submission: 4

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Check for \$ _____ <input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Assignment Papers for an application <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After-Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s):
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Remarks:

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Name	Hoyt A. Fleming III	 28422 PATENT TRADEMARK OFFICE	Date	09/10/2001
Signature	<i>Hoyt A. Fleming III</i>		Telephone	(208) 336-5237
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CERTIFICATE OF MAILING

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Type or Printed Name	Teresa A. Fleming	Signature	<i>Teresa A. Fleming</i>
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INFORMATION DISCLOSURE CITATION SEP 15 2001 PATENT & TRADEMARK OFFICE	ATTY. DOCKET NO. SUN-P5493-MDF	APPLICATION NO. 09/905,483
	APPLICANTS James M. Avery	
	FILING DATE July 13, 2001	GROUP ART UNIT 2661

PTO-1449

U.S. PATENT DOCUMENTS

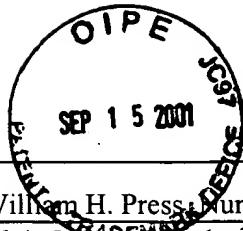
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	6,118,788	Sep. 12, 2000	Kermani	370	461	Oct. 15, 1997
	6,058,436	May 2, 2000	Kosco	710	11	Jun. 16, 1998
	5,245,609	Sep. 14, 1993	Ofek	370	94.3	Jan. 30, 1991
	4,926,418	May 15, 1990	Cidon	370	85.5	Apr. 11, 1989
	4,860,357	Aug. 22, 1989	Avery	381	41	Aug. 5, 1985

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

✓	U.S. Patent Application Serial No. 09/905,281, Avery, Apparatus for Merging a Plurality of Data Streams into a Single Data Stream, July 13, 2001
✓	API NetWorks, Inc., The Lightning Data Transport I/O Bus Architecture, Revision 1001, 2000
	API NetWorks, Inc., HyperTransport: Universal Interconnect Solution for I/O, Mar. 7, 2001 ✓
	API NetWorks, Inc., Lightning Data Transport: Universal Interconnect Solution for I/O, Dec. 13, 2000 ✓
	API NetWorks, Inc., HyperTransport Applications in Embedded DSP/RISC Based Systems: A High-Bandwidth, Low-Complexity Embedded I/O Interconnect Architecture ✓
	PCI-to-PCI Bridge Architecture Specification, Revision 1.1, Dec. 18, 1998 ✓
	PCI Local Bus Specification, Revision 2.2, Dec. 18, 1998
	Robert M. Metcalfe, Ethernet: Distributed Packet Switching for Local Computer Networks, Jul. 1976
	J. W. Son, An input polling arbitration mechanism for a gigabit packet switch,
	Cisco Systems, Dynamic Packet Transport Technology and Performance, 2000
	Farooq M. Anjum, Balanced-RED: An Algorithm to achieve Fairness in the Internet, Mar. 8, 1999



	William H. Press, Numerical Recipes in C, 1992, Chapters 12 and 13.
	Alain Mayer, Local and Congestion-Driven Fairness Algorithm in Arbitrary Topology Networks, Jun. 2000
	Cisco, Dynamic Packet Transport Technology and Performance
	Rajendra K. Jain, A Quantitative Measure of Fairness and Discrimination for Resource Allocation in Shared Computer System, Sep. 26, 1984
	Sangyup Shim, Supporting Continuous Media: Is Serial Storage Architecture (SSA) Better Than SCSI?, 1997
	Mark W. Garrett, Analysis, Modeling and Generation of Self-Similar VBR Video Traffic, 1994
	Will E. Leland, On the Self-Similar Nature of Ethernet Traffic, 1994
	Jonathan H. B. Deane, The dynamics of deterministic data networks, Jun. 12, 1996
	Terence D. Todd, The Token Grid Network, Jun. 1994
	Jan Beran, Fitting Long-Memory Modules by Generalized Linear Regression, Dec. 1993
	Jan Beran, Statistical Methods for Data with Long-Range Dependence, Nov. 1992
	Jan Beran, On robust local polynomial estimation with long-memory errors
	Mark W. Garrett, Contributions toward real-time services on packet switched networks, 1993
	Jonathan H. B. Deane, Chaotic traffic flow in local area networks
	Edward Ott, Chaos in Dynamical Systems, 1993
EXAMINER	DATE CONSIDERED

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.